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18 Attorney for Plaintiffs
19 GREGORY L. SULLIVAN and
20 KOJI FUJITA

21 UNITED STATES DISTRICT COURT
22 NORTHERN DISTRICT OF CALIFORNIA

23 GREGORY L. SULLIVAN and
24 KOJI FUJITA,

25 Plaintiffs,

26 v.

27 CITY OF SAN RAFAEL, a government
28 entity; SAN RAFAEL POLICE
DEPARTMENT, a government entity;
RYAN DEMARTA, individually, and in
his capacity as police officer for the CITY
OF SAN RAFAEL; RYAN COGBILL,
individually, and in his capacity as police
officer for the CITY OF SAN RAFAEL;
and DOES 1 to 100,

Defendants.

Case No.: CV 12-01922 MEJ

**STIPULATION AND [PROPOSED] ORDER
TO CONTINUE HEARING ON MOTION FOR
PARTIAL SUMMARY JUDGMENT AND
RELATED BRIEFING SCHEDULE**

STIPULATION AND [PROPOSED] ORDER TO CONTINUE HEARING ON MOTION FOR PARTIAL SUMMARY
JUDGMENT AND RELATED BRIEFING SCHEDULE

Sullivan v. City of San Rafael, et al.

U.S.D.C. Northern District of CA Case No. CV-12-01922 MEJ

RECITALS

1. Defendants' Motion for Partial Summary Judgment is currently set for June 27, 2013 at 10:00 a.m. before Hon. Maria-Elena James in Courtroom B of this Court.

2. The mandatory response deadline to the aforementioned motion is June 6, 2013 and the mandatory reply deadline is June 13, 2013.

3. Subsequent to participating in mediation with Judge James Larson (Ret.), the parties have continued settlement discussions. The parties desire to engage in further settlement discussions before requesting the court to expend additional time on the aforementioned motion. Therefore, the parties are requesting the court to order a two-week continuance of the hearing on the aforementioned motion and the related briefing schedule.

STIPULATION

Therefore, counsel for Plaintiffs and Defendants agree and stipulate as follows:

1. To continue the hearing date, subject to availability on Judge James' calendar, for Defendants' Motion for Partial Summary Judgment currently set for June 27, 2013 to July 11, 2013.

2. To continue the corresponding response and reply deadlines to the aforementioned motion to June 20, 2013 and June 27, 2013, respectively.

SO STIPULATED.

Dated: May 31, 2013

BERTRAND, FOX AND ELLIOT

By: /s/ Richard W. Osman

Richard W. Osman

Attorneys for Defendants

Dated: May 31, 2013

LAW OFFICE OF JAMES D. RUSH

By: /s/ *James D. Rush*

James D. Rush

Attorneys for Plaintiffs

Dated: May 31, 2013

GEARINGER LAW GROUP

By: /s/ *Brian K. Gearinger*

Brian K. Gearinger

Attorneys for Plaintiffs

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2 **[PROPOSED] ORDER**
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4 Having reviewed the stipulation of counsel herein, IT IS HEREBY ORDERED that Defendants'
5 Motion for Partial Summary Judgment be continued to July 11, 2013 and the corresponding response
and reply deadlines be continued to June 20, 2013 and June 27, 2013, respectively.
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7 **IT IS SO ORDERED.**
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9 DATED: June 3, 2013
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11 HONORABLE MARIA-ELENA JAMES
12 UNITED STATES MAGISTRATE JUDGE
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